

**CALIFORNIA ENERGY COMMISSION**

1516 Ninth Street  
Sacramento, California 95814

Main website: [www.energy.ca.gov](http://www.energy.ca.gov)



In the matter of,	)	Docket No. 05-DATA-1
	)	
Proposed Adoption, Amendment, and	)	NOTICE OF COMMITTEE
Repeal of Regulations Governing the	)	WORKSHOP
Commission's Data Collection System for	)	
the Integrated Energy Policy Report and	)	
Regulations Governing Disclosure of	)	
Commission Records	)	

## Notice of Integrated Energy Policy Report Committee Workshop on Committee-Proposed Changes to Data Collection Regulations

The California Energy Commission's Integrated Energy Policy Report Committee (Committee), consisting of Chairman Jackalyn Pfannenstiel and Commissioner John Geesman, is holding a workshop to discuss comments received regarding the Committee's proposed changes to the data collection regulations. Other Commissioners may attend and participate in this workshop.

The workshop will be held:

**MONDAY, August 28, 2006**  
10:00 a.m.  
CALIFORNIA ENERGY COMMISSION  
1516 Ninth Street  
First Floor, Hearing Room A  
Sacramento, California  
(Wheelchair Accessible)

To participate in the meeting by phone,  
please call 1-800-888-552-9483 by 9:00 a.m. Pacific Time  
Passcode: 21783 Call Leader: Mr. Chris Tooker

### Purpose

The purpose of the August 28th, 2006 workshop is to receive public comments regarding the Committee's proposed changes to the Commission's Data Collection

Regulations. The Committee's proposed changes are based on changes proposed by the Energy Commission staff that have been discussed at previous workshops. A summary of the changes made in the Committee-proposed regulations is attached to this notice. The Committee encourages the participation of all interested parties in discussing these proposed changes to the regulations. The proposed changes can be found, with other relevant documents, on the Energy Commission's website at: [\[www.energy.ca.gov/data\\_collection/\]](http://www.energy.ca.gov/data_collection/).

## **Background**

On October 19, 2005, the Energy Commission, under Public Resources Code Sections 25210 and 25213 and Title 20, California Code of Regulations, Section 1222(a), instituted a proceeding at the direction of the Integrated Energy Policy Report Committee (Committee). This proceeding is considering changes to regulations governing the Commission's data collection system for integrated energy policy reporting, the complaint and investigation process, and the disclosure of Energy Commission records. The data collection regulations addressed in this rulemaking are found at Title 20, California Code of Regulations, Section 1301 et seq. and Section 1340 et seq.; the regulations governing the complaint and investigation process are found at Title 20, California Code of Regulations, Section 1230 et seq.; and the regulations governing disclosure of Energy Commission records are found at Title 20, California Code of Regulations, section 2501 et seq. This rulemaking implements the requirements of SB 1389 (Stats. 2002, ch. 568, Section 2), SB 1037 (Stats. 2005, Ch. 366, Sections 3, 4, 6), AB 380 (Stats. 2005, ch. 367, Section 2), and the California Public Records Act (Gov. Code, Section 6250 et seq.).

SB 1389 directs the Energy Commission "to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices." (Pub. Resources Code Section 25301.) As part of this process, the Energy Commission is to produce an Integrated Energy Policy Report (IEPR) every two years. (Pub. Resources Code Section 25302.) In carrying out its responsibilities, the Energy Commission is required to "manage a data collection system for obtaining the information necessary to develop the policy reports and analyses required by [SB 1389]." (Pub. Resources Code §25320.) As part of this rulemaking, at the direction of the Committee, the staff has reviewed the existing data collection regulations and has developed proposed changes to update them consistent with the requirements of SB 1389 and the recently adopted provisions of Public Utilities Code Sections 454.55, 454.56, 9615, and 9620. Given the prominence of confidentiality issues during the 2005 IEPR cycle, the staff has also proposed changes to the Energy Commission's regulations implementing the Public Records Act. (See Cal. Code Regs., Tit. 20, Section 2505(a)(5).)

On May 2, 2006, the Committee held an initial workshop to discuss staff's proposed changes to the Energy Commission's regulations governing data collection for the Integrated Energy Policy Report, regulations implementing the Commission's complaint and investigation process, and regulations governing the disclosure of Commission records. At that workshop, the Committee extended the final due date for written comments from May 8 to May 22, 2006, and held a second workshop to discuss those comments on May 25, 2006. Following the workshop, the Committee directed the staff to revise its proposed changes to the Commission's data collection regulations in response to written comments received and oral comments made by parties and the Committee at the two workshops. Staff's revised proposed changes to the Commission's data collection regulations were subsequently discussed at a workshop on Monday, July 10, 2006, and during a staff conference call with interested parties on Wednesday, July 19, 2006.

## **Written Comments**

The Committee encourages interested parties to present their views before the workshop. The Committee encourages comments by e-mail so that they may be posted on the Energy Commission's website.

If a party wishes to discuss its written comments at the workshop, the Committee requests that they be submitted and electronically served on each entity on the service list for this proceeding by 5 p.m. on August 24, 2006.

Those submitting comments by e-mail should indicate "Docket No. 05-DATA-1, Data Collection Regulations Workshop", with your name or your organization's name in the subject line of the e-mail. Provide your comments in either Microsoft Word format or Adobe Portable Document format (PDF) and send to: [docket@energy.state.ca.us]. Parties submitting comments electronically must also submit the original paper copy to the Energy Commission's Docket Unit.

Those submitting comments by hard copy should indicate the "Docket No. 05-DATA-1" and "Data Collection Regulations Workshop" in the subject line or initial paragraph of the comments and must provide an original plus 18 paper copies to the Energy Commission's Docket Unit.

Please send or deliver written materials to the following address:

California Energy Commission  
Docket Unit  
Attn: Docket No. 05-DATA-1  
1516 Ninth Street, MS-4  
Sacramento, California 95814-5512

All written materials relating to this workshop will be filed with the Docket Unit and will become part of the public record in this proceeding.

**PLEASE NOTE: The Committee also requires that parties filing comments in this proceeding must, in addition to complying with the Commission's requirements for filing with the Docket Office (Cal. Code Regs., Tit. 20, §§1209, 1209.5), serve their comments by e-mail on all persons on the service list for this proceeding.**

The current service list is attached; if you would like your name added to or removed from the service list or to make corrections, please contact Chester Hong at (916) 654-3951 or by e-mail at: [chong@energy.state.ca.us](mailto:chong@energy.state.ca.us). Any person who cannot send or receive e-mail should contact Caryn Holmes at (916) 654-4178.

## Public Participation

The Energy Commission's Public Adviser, Margret J. Kim, provides assistance to the public in participating in Energy Commission activities. For information on how to participate in this workshop, please contact the Public Adviser's Office by phone at (916) 654-4489, or toll free at (800) 822-6228, by FAX at (916) 654-4493, or by e-mail at: [pao@energy.state.ca.us](mailto:pao@energy.state.ca.us). If you have a disability and require assistance to participate in this workshop, please contact Lou Quiroz, at (916) 654-5146, at least five days in advance.

The service list for the Data Collection Regulations proceeding is handled electronically, with notices and documents posted to the Energy Commission website at: [www.energy.ca.gov/data collection/](http://www.energy.ca.gov/data%20collection/). When new information is posted, an e-mail will be sent to those on the energy-policy e-mail list server. We encourage those who are interested in receiving these notices to sign up for the list server through the website at: [www.energy.ca.gov/data collection/](http://www.energy.ca.gov/data%20collection/).

Media inquiries should be directed to Claudia Chandler at (916) 654-4989 or by e-mail at: [cchandle@energy.state.ca.us](mailto:cchandle@energy.state.ca.us). Technical questions should be directed to Chris Tooker at (916) 653-1634; or by e-mail at: [ctooker@energy.state.ca.us](mailto:ctooker@energy.state.ca.us).

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Chairman and Presiding Member  
2007 Energy Policy Report Committee

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JOHN L. GEESMAN  
Commissioner and Associate Member  
2007 Energy Policy Report Committee

Mail Lists: Energy Policy E-mail List

Date Online: June 27, 2006

Note: The California Energy Commission's formal name is the State of California Energy Resources Conservation and Development Commission.

## **Attachment**

### **Summary of Major Changes in the Draft IEPR Committee Proposed Data Collection Regulations Since the July 10, 2006, Workshop on the Staff-Proposed Changes to the Data Collection Regulations**

#### **General Changes**

The IEPR Committee's draft proposed data collection regulations contain updated and corrected citations and cross-references, and well as grammatical and typographical corrections.

#### **Chapter 2**

No major changes.

#### **§ 1302**

There are a number of changes to the definitions in response to parties' comments, including changes to the definitions of "LSE" and "customer". In addition, this draft contains new definitions to reflect the use of new terms in several sections. These new terms include: "Bundled customer," "Unbundled customer," "Customer class," "Distribution service," "Generation service," "Transmission service," "Peak demand," and "Electric generator owner."

#### **§ 1303**

POUs are provided up to 75 days after the close of the fiscal year for certain types of filings.

#### **§ 1304**

The proposal to collect monthly data for the 1 – 10 megawatt (MW) plants has been deleted, and language has been added clarifying the reporting of electricity sales from cogenerators. In addition, there is new language limiting the scope of the reporting requirement related to environmental violations. Finally, Subdivision (b) contains a size limit for interconnected power plants reported by UDCs.

#### **§ 1305**

This section contains a new Subdivision (d), which is designed to collect information about UDC changes within a control area.

#### **§ 1306**

This section contains clarifications in response to comments but no significant changes.

#### **§ 1307**

No changes.

**§ 1308**

No major changes.

**§§ 1309 & 1310 & 1310.5 – No major changes.****§ 1341**

No major changes.

**§ 1342**

The draft language authorizing a reduced scope of reporting for small entities has been eliminated, as Section 1350 is no longer proposed for deletion.

**§ 1343**

No major changes.

**§ 1344**

This section contains modification to improve clarity, as well as changes to Subdivision (e) to respond to concerns about the availability of the identified data.

**§ 1345**

This section now contains language identifying a ten-year forecasting requirement (which may be reduced in the Forms and Instructions.)

**§ 1346**

This section has been modified to improve its clarity, and the time horizon has been reduced from four years to one.

**§ 1347**

Revisions to this section since the July 10 workshop include identifying a ten-year forecast horizon, retaining existing Subdivision (b), and deleting proposed subdivision (c).

**§ 1348**

The changes to this regulation would delete the requirement to file historical price information.

**§ 1349**

No major changes.

**§ 1350**

These revisions would retain Section 1350 in abbreviated form, rather than delete it as staff proposed at the July workshop.

**Disclosure of Commission Records**

Revisions to these regulations would create an additional category of automatically confidential data. No other major changes are proposed.



## Attachment

Case Name: Proposed Adoption, Amendment, and Repeal of Regulations Governing the Commission's Data Collection System for the Energy Policy Report and Regulations Governing Disclosure of Commission Records

Docket No.: 05-DATA-1

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